

STATE OF NEW JERSEY REQUEST FOR WAIVER OF ADVERTISING DEPARTMENT OF THE TREASURY • DIVISION OF PURCHASE AND PROPERTY		Agency Ref. No.: _____ (FOR PURCHASE BUREAU USE ONLY) Waiver No.: _____ Category: _____ Document No.: _____
INSTRUCTIONS: Complete and answer ALL ITEMS 1 thru 15 or write "Not Applicable". See reverse side for statutory citations and refer to current waiver procurement circular for detailed instructions.		

PART I—MUST BE COMPLETED BY REQUESTING AGENCY											
1. Using Agency (Include Department)		2. Agency Contact									
3. Telephone No.: _____ Fax No.: _____		4. Recommended Vendor (Name and Address)									
5. Statutory Citation(s) N.J.S.A. 52:34 _____		6. Date Item/Service Needed									
7. Funding Source		8. Total Amount Requested:									
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 25%;">Fiscal Yr.</th> <th style="width: 25%;">State</th> <th style="width: 25%;">Fed.</th> <th style="width: 25%;">Other</th> </tr> <tr> <td style="height: 30px;"></td> <td style="text-align: center;">%</td> <td style="text-align: center;">%</td> <td style="text-align: center;">%</td> </tr> </table>		Fiscal Yr.	State	Fed.	Other		%	%	%	\$ _____	
Fiscal Yr.	State	Fed.	Other								
	%	%	%								
Vendor No.: _____ (If more than one vendor, check here <input type="checkbox"/> and attach list)											
9. Provide a brief, concise summary of nature and purpose of waiver.											
<input type="checkbox"/> Check here if continued on separate sheet.											
10. Explain what attempts were made to obtain competition. "N/A" is not acceptable. Attach all proposals, price quotations, etc. received.											
<input type="checkbox"/> Check here if continued on separate sheet.											
11. What are the program consequences of not meeting the delivery date given in Item 6 above? (Support with documentation)											
<input type="checkbox"/> Check here if continued on separate sheet.											
▼ Answer Questions 12, 13 and 14 by checking proper column at right.		YES	N/A								
12. If required under Circular No. 98-14-OMB/DPP/OTS, have the following approvals been sought: (a) OMB for professional services; (b) OTIS for consultant services and approval of Telecommunications, Information Technology Consultant Services, equipment and software?		(a)	(b)								
13. Is a vendor proposal(s) attached detailing the scope of work or item description, including an explanation of rates/prices and terms and conditions?											
14. Is the Justification Statement, required by the current Waiver Procurement Circular, explaining the circumstances of emergency biddability, compatibility, more favorable terms and/or market conditions necessitating this waiver attached?											
15. DEPARTMENT CERTIFICATION: I certify to the accuracy of the above statements and to the following as indicated:		<input type="checkbox"/> This is not a confirming waiver. <input type="checkbox"/> This is an authorized confirming waiver. My signature certifies receipt of all or part of the item/service and that the prices charged were reasonable. <input type="checkbox"/> This is an unauthorized confirming waiver.									
_____ (Signature of Department Head)		_____ (Date)									

PART II—TO BE COMPLETED BY DIVISION OF PURCHASE AND PROPERTY						
A. Are the goods or services to be purchased available under an existing State Contract? <input type="checkbox"/> Yes <input type="checkbox"/> No			OTIS APPROVAL:		OMB APPROVAL LETTER?	
Are the prices reasonable compared to other contracts for similar goods or services? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A					<input type="checkbox"/> Yes <input type="checkbox"/> No	
Are there any formal complaints on file against the vendor(s)? <input type="checkbox"/> Yes <input type="checkbox"/> No (If yes, give status of complaint(s))						
Are terms and conditions attached to the proposal? <input type="checkbox"/> Yes <input type="checkbox"/> No						
CERTIFICATIONS	Citation(s): N.J.S.A. 52:34 _____		Competition sought? <input type="checkbox"/> Yes <input type="checkbox"/> No		Competition Received? <input type="checkbox"/> Yes <input type="checkbox"/> No	
	Ownership Disclosure: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A		Out of State Corp. Registered? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			
	Affirmative Action Compliance <input type="checkbox"/> Yes <input type="checkbox"/> No		McBride Principle <input type="checkbox"/> Yes <input type="checkbox"/> No		Amount Not To Exceed: \$ _____	
	Certified By: _____ <div style="text-align: right;">(Unit Supervisor)</div> <div style="text-align: right;">(Date)</div>					
B. Recommendations for Approval			C. Legal: This Waiver is approved as to legal sufficiency.			
1. _____ (Purchase Bureau Supervisor) (Date)			_____ (Deputy Attorney General) (Date)			
2. _____ (Director—Div. Purchase & Property) (Date)			D. Approved by State Treasurer Date			

**Statutory Citations Under Which Advertising
is Unnecessary (52:34-9 & 52:34-10)**

- 52:34- 9 (a) service to be performed are of a technical and professional nature.
- 9 (b) the purchase of perishable foods or subsistence supplies.
- 9 (c) the lease of such office space, office machinery, specialized equipment, buildings or real property as may be required for the conduct of the State's business.
- 9 (d) the acquisition of any real property by gift, grant, purchase or any other lawful manner in the name of and for the use of the State for the purpose of the administration of the State's business in accordance with the appropriations made therefor when moneys are required for the acquisition.
- 9 (e) supplies or services, for which the prices after advertised bidding are not reasonable or have not been independently arrived at in open competition.
- 52:34- 10 (a) the purchase is to be made from, or the contract to be made with, the Federal or any State Government or any agency or political subdivision thereof.
- 10 (b) the public exigency requires the immediate delivery of the articles or performance of the service.
- 10 (c) only one source of supply is available.
- 10 (d) more favorable terms can be obtained from a primary source of supply.
- 10 (e) articles of wearing apparel which are styled or seasonal in character.
- 10 (f) commodities traded on a national commodity exchange are to be purchased and fluctuations of the market require immediate action.
- 10 (g) the equipment to be purchased is of a technical nature and the procurement thereof without advertising is necessary in order to assure standardization of equipment and interchangeability of parts in the public interest.

FORM DISTRIBUTION

White	--	Purchase Bureau
Yellow	--	State Auditor
Pink	--	Waiver Coordinator, Purchase Bureau
Green	--	Using Agency Approved Copy (Do Not Detach)
Goldenrod	--	Agency File Copy (Detach Prior to Submission)